

**ALASKA STATE LEGISLATURE**  
**SENATE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE**

May 13, 2021

3:40 p.m.

**MEMBERS PRESENT**

Senator Shelley Hughes, Chair  
Senator Robert Myers, Vice Chair  
Senator David Wilson  
Senator Elvi Gray-Jackson

**MEMBERS ABSENT**

Senator Lyman Hoffman

**COMMITTEE CALENDAR**

SENATE BILL NO. 136

"An Act relating to firearms and other weapons restrictions."

- HEARD & HELD

SENATE BILL NO. 119

"An Act relating to oaths of office; and requiring public officers to read the state constitution, the Declaration of Independence, and the United States Constitution."

- MOVED CSSB 119(EDC) OUT OF COMMITTEE

SENATE BILL NO. 135

"An Act establishing September 10 as Alaska Community Health Aide Appreciation Day."

- MOVED SB 135 OUT OF COMMITTEE

SENATE BILL NO. 131

"An Act relating to the presumption of compensability for a disability resulting from certain diseases for firefighters."

- MOVED SB 131 OUT OF COMMITTEE

SENATE BILL NO. 46

"An Act relating to the Alaska Police Standards Council; relating to municipal correctional officers and municipal correctional employees; making municipal police officers subject

to police standards; establishing a statewide use-of-force database in the Department of Public Safety; requiring a municipality that employs a person as a municipal police officer or in a municipal correctional facility, the Department of Corrections, or the Department of Public Safety to report for inclusion in the database incidents of use of force by state and municipal police, probation, parole, and correctional officers and municipal correctional facility employees; and providing for an effective date."

- BILL HEARING CANCELED

#### **PREVIOUS COMMITTEE ACTION**

BILL: SB 136

SHORT TITLE: LIMITATIONS ON FIREARMS RESTRICTIONS

SPONSOR(s): SENATOR(s) MYERS

05/05/21	(S)	READ THE FIRST TIME - REFERRALS
05/05/21	(S)	CRA, STA
05/11/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/11/21	(S)	-- MEETING CANCELED --
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 119

SHORT TITLE: OATH OF OFFICE

SPONSOR(s): SENATOR(s) REINBOLD

04/07/21	(S)	READ THE FIRST TIME - REFERRALS
04/07/21	(S)	EDC, JUD, STA, FIN
04/23/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/23/21	(S)	Heard & Held
04/23/21	(S)	MINUTE(EDC)
04/28/21	(S)	EDC AT 9:00 AM BUTROVICH 205
04/28/21	(S)	Moved CSSB 119(EDC) Out of Committee
04/28/21	(S)	MINUTE(EDC)
04/30/21	(S)	EDC RPT CS 4DP 1NR SAME TITLE
04/30/21	(S)	DP: HOLLAND, HUGHES, STEVENS, MICCICHE
04/30/21	(S)	NR: BEGICH
04/30/21	(S)	FIN REFERRAL REMOVED
04/30/21	(S)	CRA REFERRAL ADDED AFTER EDC
05/11/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/11/21	(S)	-- MEETING CANCELED --
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 135

SHORT TITLE: AK COMMUNITY HEALTH AIDE APPRECIATION DAY

SPONSOR(s) : SENATOR(s) KAWASAKI

05/03/21	(S)	READ THE FIRST TIME - REFERRALS
05/03/21	(S)	CRA, STA
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 131

SHORT TITLE: WORKERS' COMP DISABILITY FOR FIREFIGHTERS

SPONSOR(s) : SENATOR(s) HOLLAND

04/28/21	(S)	READ THE FIRST TIME - REFERRALS
04/28/21	(S)	CRA, L&C
05/06/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/06/21	(S)	Heard & Held
05/06/21	(S)	MINUTE(CRA)
05/11/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)
05/11/21	(S)	-- MEETING CANCELED --
05/13/21	(S)	CRA AT 3:30 PM BELTZ 105 (TSBldg)

#### **WITNESS REGISTER**

MICHAELLA ANDERSON, Staff  
Senator Robert Myers  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Provided an overview of SB 136.

AOIBHEANN CLINE, Northwest Regional Director  
National Rifle Association  
Fairfax, Virginia

**POSITION STATEMENT:** Testified in support of SB 136.

ANNE CAULFIELD  
Moms Demand Action for Gun Sense America  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

LUANN MCVEY, Member  
Moms Demand Action for Gun Sense America  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

ANN GIFFORD, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

MICHAEL FINDLAY, Director

Government Relations-State Affairs  
National Shooting Sports Foundation  
Washington, DC

**POSITION STATEMENT:** Testified in support of SB 136.

CARRIE HANSON, Member  
Moms Demand Action for Gun Sense America  
Soldotna, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

HEATHER KOPONEN, representing self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 136.

SENATOR LORA REINBOLD  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 119.

JOE HAYES, Staff  
Senator Scott Kawasaki  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented SB 135 on behalf of the sponsor.

TARYN HUGHES  
Guardian Flight Alaska  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of SB 135.

JARED SHERMAN Vice President of Operations  
Global Medical Response  
Palmer, Alaska

**POSITION STATEMENT:** Testified in support of SB 135.

HEATHER KOPONEN, representing self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of SB 135.

SENATOR ROGER HOLLAND  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Sponsor of SB 131.

LORI WING-HEIR, Director  
Division of Insurance  
Department of Commerce, Community and Economic Development

Anchorage, Alaska

**POSITION STATEMENT:** Answered questions and provided information related to SB 131.

CHARLES COLLINS, Director

Division of Workers' Compensation

Department of Labor and Workforce Development (DOLWD)

Juneau, Alaska

**POSITION STATEMENT:** Answered questions and provided information on SB 131.

#### **ACTION NARRATIVE**

[3:40:45 PM](#)

**CHAIR SHELLEY HUGHES** called the Senate Community and Regional Affairs Standing Committee meeting to order at 3:40 p.m. Present at the call to order were Senators Wilson, Myers, and Chair Hughes. Senator Gray-Jackson arrived during the course of the meeting.

#### **SB 136-LIMITATIONS ON FIREARMS RESTRICTIONS**

[3:42:21 PM](#)

**CHAIR HUGHES** announced the consideration of SENATE BILL NO. 136, "An Act relating to firearms and other weapons restrictions."

[3:42:37 PM](#)

**SENATOR ROBERT MYERS**, speaking as sponsor, stated that SB 136 seeks to clarify what sort of restrictions can and cannot be imposed during a disaster declaration on the ability to own and operate firearms. He noted that this issue came up in Anchorage in the context of essential services. The bill effectively says that a state agency or municipality may not use a disaster declaration as the basis for imposing new firearms rules. He deferred further introduction to his staff, Michaella Anderson.

[3:44:30 PM](#)

**MICHAELLA ANDERSON**, Staff, Senator Robert Myers, Alaska State Legislature, Juneau, Alaska, reported that seven states mandated the complete or partial closure of firearms stores or ranges during the pandemic because they were deemed nonessential. SB 136 seeks to prevent that from happening in Alaska.

She referred to the sponsor statement for SB 136 that read as follows:

Governors of the United States may declare a state of emergency in the event of a disaster. These declarations generally provide expansive police powers to regulate states during emergency situations to protect the public health and safety. While these police powers are usually granted by the state constitution, state statutes clarify and define the extent of the emergency authority granted during an emergency declaration. Thus, state legislatures can create reasonable regulations to define and establish the restrictions on constitutional rights that may or may not be justified in times of emergency.

It is the goal of SB 136 to clarify the extent of the emergency authority granted during an emergency declaration in regard to the Second Amendment and to prevent the unnecessary infringements on the right to keep and bear arms. SB 136 establishes that notwithstanding a declaration of a disaster emergency, neither the state or a municipal agency may not forbid the possession, use or transfer of a firearm, firearm accessory, ammunition, or other weapon for personal use. In addition, SB 136 also establishes that the closure and limitation of commerce under the police powers of the governor must be equally applied to all forms of commerce, and prevents undue restrictions of businesses associated with firearms and public shooting range facilities.

It is the duty of the state legislature to clarify the extent of the emergency authority granting restrictions on constitutional rights during an emergency declaration. SB 136 provides clarification that neither the state or municipal agencies may unnecessarily infringe upon Alaskan citizens right to keep and bear arms.

[3:45:16 PM](#)

MS. ANDERSON summarized the sectional analysis for SB 136 that read as follows:

**Section 1.**

Adds new sections to Article 5 of AS 44.99.

- a) Establishes that notwithstanding a disaster emergency declared under AS 26.23.020, a state or municipal agency may not impose the following:

- a. Forbid the possession, use, or transfer of a firearm, a firearm accessory, ammunition, or other weapon for personal use.
  - b. Order the seizure or confiscation of a firearm, a firearm accessory, ammunition, or other weapon for personal use.
  - c. Limit the quantity or place other restrictions on the sale or service of firearms, firearm accessories, ammunition, or other weapons for personal use.
  - d. Unless the closure or limitation applies equally to all forms of commerce within the jurisdiction, close or limit the operating hours of the following:
    - i. An entity engaged in the sale or service of firearms, firearm accessories, ammunition, or other weapons for personal use, or
    - ii. An indoor or outdoor shooting range.
  - e. Suspend or revoke a permit to carry a concealed handgun issued under AS 18.65.700, except as provided in AS 18.65.735 and 18.65.740; or
  - f. Refuse to accept an application to carry a concealed handgun, provided the application contains the information required under AS 18.65.710.
- b) Establishes that this section does not apply to the possession of a firearm, a firearm accessory, ammunition, or other weapon by a person who is prohibited from legally possessing a firearm, a firearm accessory, ammunition, or other weapon under state law.
  - c) Establishes that a person may bring a civil action in superior court if the person is adversely affected by a violation of (a) of this section, and the person is the following:
    - a. Qualified under state law to possess a firearm, a firearm accessory, ammunition, or other weapon; or
    - b. A membership organization consisting of two or more individuals eligible under (1) of this subsection that is dedicated in whole or in part to the protection of the

rights of persons who possess or use firearms or other weapons.

- d) Notwithstanding AS 09.17.020(f) - (h), a prevailing plaintiff under (c) of this section may recover.
  - a. The greater amount of actual economic damages or punitive damages in the amount of three times the plaintiff's attorney fees.
  - b. Court costs; and
  - c. Attorney fees.
- e) Defines "State or Municipal Agency" to include the following: University of Alaska or a department, institution, board, commission, division, council, committee, authority, public corporation, school district, regional educational attendance area, or other administrative unit of a municipality or of the executive, judicial, or legislative branch of state government, and includes employees of those entities.

## **Section 2.**

Repeals AS 44.99.500(g)(1) which is the definition of a firearm accessory.

MS. ANDERSON advised that the definition of a firearm accessory is in the new Sec. 44.99.595.

3:46:40 PM

CHAIR HUGHES recalled that when the governor issued a mandate early in the pandemic that closed all but essential businesses, marijuana shops and alcohol vendors were allowed to remain open, but places that sold firearms had to close. She asked if that mandate was statewide at least for a while.

3:47:22 PM

SENATOR MYERS offered his understanding that when the state listed essential businesses, hunting and fishing supply stores were deemed essential and were allowed to remain open. However, the definitions were not consistently interpreted in the implementation. For example, to be classified as a hunting supply store, a certain square footage of the store had to be dedicated to firearms and firearms materials such as ammunition. Stores that sold firearms exclusively were allowed to remain open but stores such as Cabela's and Sportsman's Warehouse were ordered to close by the municipality.



SENATOR MYERS said multiple complaints were filed against multiple stores that did not close and each time the municipality contacted the store and came to resolution. SB 136 would flip the burden of proof and instead of a store having to prove to a municipality that it was allowed to stay open, the municipality would be required to prove to the store that it had to close. The bill states that a store that sells firearms may be closed if the closure applies to all forms of commerce in the jurisdiction. He cited the example of a Sportsman's Warehouse and a Target located next to each other; they are either both open or both closed.

3:49:36 PM

CHAIR HUGHES summarized that it was a state mandate that municipalities interpreted differently. She asked if the Municipality of Anchorage was the only entity that used the different interpretation.

SENATOR MYERS replied the Municipality of Anchorage was the only one his office heard about.

CHAIR HUGHES referenced the language in paragraph (4) on page 1, lines 13-14 and asked him to confirm that this does not address essential versus nonessential businesses. It is that closures would apply uniformly to all commerce in the jurisdiction.

SENATOR MYERS answered that is correct.

CHAIR HUGHES turned to invited testimony.

3:50:47 PM

AOIBHEANN CLINE, Northwest Regional Director, National Rifle Association (NRA), Fairfax, Virginia, on behalf of the tens of thousands of NRA members in Alaska, spoke in strong support of SB 136. She stated the Second Amendment of the U.S. Constitution and Art. I, Sec. 19 of the Alaska Constitution provide that the right of the people to keep and bear arms shall not be infringed. SB 136 aims to protect that right by preventing a state or municipal agency from limiting these rights based on a disaster declaration. She said the bill is a response to events stemming from the COVID-19 pandemic.

MS. CLINE maintained the COVID-19 pandemic negatively affected Anchorage based businesses under the municipality's "Hunker Down" Emergency Order EO-03. The issue was centered in Anchorage during this pandemic, but the NRA believes that without this

legislation any municipality could be next. SB 136 ensures that firearm related businesses, shooting ranges, and the right to keep and bear arms are not unjustly singled out for any political reason. She cited District of Columbia v. Heller, 554 U.S. 570 in which the United States Supreme Court found mandatory storage locking requirements were unconstitutional because it rendered firearms impossible to operate in order to exercise the core Second Amendment right of self-defense.

MS. CLINE described SB 136 as a narrowly tailored solution to the specific problem of restrictions on firearms under an emergency declaration and urged support.

3:54:13 PM

CHAIR HUGHES opened public testimony on SB 136.

3:54:27 PM

ANNE CAULFIELD, Volunteer, Moms Demand Action for Gun Sense in America, Juneau, Alaska, stated that as a mother, grandmother, and retired school counselor she was deeply concerned that SB 136 would restrict public universities and school districts from setting firearm policies. It would also prevent local authorities from intervening to temporarily restrict access to firearms for a person at risk for suicide or domestic violence.

She relayed that as a school counselor she worked with children daily who were exposed to domestic violence including the deadly situations when a firearm was involved. This is a reality for many children. She said children who witness family members killed or seriously injured by firearms are affected by this trauma their entire lives. She emphasized that such tragedy does not need to happen if law enforcement is able to take a reasonable approach to temporarily restrict firearms when someone is in danger of hurting themselves or others.

MS. CAULFIELD offered her belief that Juneau's local officials, mayors, and police chiefs were best equipped to understand local crime and how to best address it. She urged the committee to not take away their ability to keep all citizens safe and instead ensure that Alaska has safe communities.

3:56:44 PM

LUANN MCVEY, Member, Moms Demand Action for Gun Sense in America, Douglas, Alaska, echoed the testimony of Anne Caulfield as a mother, grandmother, and retired teacher. She stated opposition to SB 136 and pointed out that the state already has a strong preemption law that keeps local authorities from

overriding the state policy on firearm regulation. She questioned the reason for narrowing that law and stopping schools and other entities from protecting against gun violence. She said young people use alcohol, sometimes to excess, and the resulting increased aggression and impaired judgement may affect a decision about whether to use a gun to solve a problem. She emphasized that guns do not belong on college campuses and state legislatures should not make colleges less safe by limiting the ability of a university to set firearms policy.

MS. MCVEY cited the findings of the nonprofit organization Everytown for Gun Safety, which found that for 20 million students attending colleges and universities, an average of 10 homicides occur each year. She said having more guns on campus increases the likelihood of more shootings but is not likely to prevent mass shootings. She emphasized that SB 136 was not needed and urged the committee to hold the bill in committee.

3:58:48 PM

ANN GIFFORD, representing self, Juneau, Alaska, stated she was a retired attorney who had personal experience with some of the issues SB 136 addresses because of past work with Alaska school districts and local governments. She described SB 136 as a poorly thought out bill that would establish bad policy and create legal chaos. She highlighted that the sponsor said the bill is to ensure that state and local agencies do not create new firearm rules during an emergency, but the language in the bill is much broader. It essentially seeks to prohibit any municipality, school district, or university or any state or local agency from regulating the use or possession of a firearm in any way. She pointed out that this conflicts with several existing laws. Like other constitutional rights, the right to bear arms is not unlimited because guns do not belong in some places. She pointed out that Alaska courts and the U.S. Supreme Court have long recognized that it is legitimate for governments to restrict carrying of guns in sensitive places such as schools and government buildings. She pointed out that emotions can run high when people talk to the legislature or local assembly and they can also run high in schools over grades and treatment by other students. Removing guns from these places helps protect everyone in these facilities. She further pointed out that the kinds of places and occasions where guns should not be allowed can vary so what makes sense in Anchorage may not be appropriate in Sitka. She expressed hope that the committee would not approve SB 136 that removes all local control on such an important topic.

4:00:59 PM

SENATOR GRAY-JACKSON joined the committee meeting.

4:01:45 PM

MICHAEL FINDLAY, Director, Government Relations-State Affairs, National Shooting Sports Foundation (NSSF), Washington, DC, stated that NSSF is the trade association for most manufacturers, retailers, and gun ranges in the nation and he was speaking in strong support of SB 136. He said that after listening to the opposition testimony, he believes it is important to distinguish that SB 136 is about limiting a governor's ability to deem the firearm industry as nonessential in a crisis. During the pandemic NSSF saw that for political reasons some governors decided not to follow the guidance from the White House. Gun ranges, retailers, and the firearm manufacturing industry were deemed essential, but these were not always included in governor declarations.

MR. FINDLAY maintained that SB 136 simply says that a governor may not treat the Second Amendment as nonessential. Thus people should be afforded the opportunity to exercise these rights to protect their families during times of crisis. On behalf of NSSF, he reiterated strong support for SB 136.

4:03:53 PM

CARRIE HANSON, Volunteer, Moms Demand Action for Gun Sense in America, Soldotna, Alaska, stated that as a lifelong Alaskan who has witnessed many instances when guns were not used responsibly she was testifying to ask the committee to oppose SB 136. She said too many Alaskans die each year from gun homicide, gun suicide, or unintentional shootings. She pointed out that the state has the highest rate of gun deaths in the country and that over 66 percent of the gun deaths in the state are by suicide. This is more than double the national average. She further pointed out that guns are the leading cause of death for Alaskan children and teens and that 2010 to 2019 the rate of gun deaths in Alaska increased more than 19 percent.

MS. HANSON said it is clear that the gun crisis in Alaska is getting worse and the legislature should respond with reasonable steps to lower the rate of gun deaths. However, a blanket preemption is not necessary because there is already a law that governs the municipal regulation of firearms. She cited an instance in Soldotna two years ago when a man unintentionally discharged his weapon while in a coffee shop and hit his wife. She emphasized that guns do not belong in every public place and note that states that have allowed guns on college campuses now

struggle with the safety and economic consequences. She said the fact that insurance companies view guns on campus as a huge liability helps explain why they are not a good idea. She highlighted that a guns on campus bill in West Virginia was estimated to cost \$11 million to implement, and asked the committee to refrain from passing SB 136 from committee.

[4:06:33 PM](#)

HEATHER KOPONEN, representing self, Fairbanks, Alaska, stated appreciation for the testimony opposing SB 136 from Caulfield, McVey, Gifford, and Hanson and offered her belief that it should be weighted more heavily than testimony from Cline with the National Rifle Association and Findlay with the National Shooting Sports Foundation because they profit financially from passage of the legislation. She refuted the claim that firearm stores are essential business. While it may be essential for somebody who is hunting to be able to buy ammunition, she said it is not essential to make money from weapons that cause severe injury and death. She said the bill is more about broadening the strength of gun lobbyists and her belief is that their interpretation of Second Amendment rights in the context of SB 136 is dubious. She urged the committee not to hold the bill.

[4:08:50 PM](#)

CHAIR HUGHES closed public testimony on SB 136. She encouraged any interested party to send written testimony to [scra@akleg.gov](mailto:scra@akleg.gov).

CHAIR HUGHES held SB 136 in committee.

#### **SB 119-OATH OF OFFICE**

[4:09:27 PM](#)

CHAIR HUGHES announced the consideration of SENATE BILL NO. 119 "An Act relating to oaths of office; and requiring public officers to read the state constitution, the Declaration of Independence, and the United States Constitution."

[CSSB 119(EDC) was before the committee.]

[4:09:40 PM](#)

At ease

[4:10:11 PM](#)

CHAIR HUGHES reconvened the meeting and asked the sponsor to introduce the bill.

[4:10:17 PM](#)

SENATOR LORA REINBOLD, Alaska State Legislature, Juneau, Alaska, sponsor of SB 119, stated the purpose of the bill is to ensure the founding documents of this country are not taken for granted. It requires Alaskans who are statutorily or constitutionally required to take an oath of office in the state to sign a statement that they have read the Declaration of Independence, the U.S. Constitution, and the Constitution of the State of Alaska. These sworn statements would be filed with the municipal clerk in the appropriate jurisdiction.

She suggested Senator Hughes may want to discuss the change made in the Education Committee.

[4:11:36 PM](#)

CHAIR HUGHES explained that school boards were initially included and the previous committee determined that other municipal officials should be included. For that reason the bill picked up a referral to this committee.

[4:12:02 PM](#)

CHAIR HUGHES opened public testimony on SB 119; finding none, she closed public testimony. She advised that written testimony would be accepted at [scra@akleg.gov](mailto:scra@akleg.gov).

[4:12:35 PM](#)

SENATOR MYERS asked if she believes people are not reading and paying attention to these foundational documents or if it is a matter of differing interpretations.

SENATOR REINBOLD offered her belief that all students should read the Declaration of Independence in order to understand all the grievances in the early days of this country. She opined that understanding the grievances provides a greater appreciation for civil liberties and the Bill of Rights. At the very least, it is a good refresher, she said.

[4:13:55 PM](#)

CHAIR HUGHES solicited the will of the committee.

[4:14:02 PM](#)

SENATOR MYERS moved to report SB 119, work order 32-LS0163\G, from committee with individual recommendations and attached fiscal note(s).

[4:14:18 PM](#)

SENATOR WILSON objected to ask if the intent was for the relevant individuals to read the constitution with all the amendments or just the original constitution.

[4:14:44 PM](#)

SENATOR REINBOLD replied the intent is for the individuals to read the entire U.S. Constitution, the Declaration of Independence, and the Constitution of the State of Alaska. She noted that the statutes for the different officials were written at different times and SB 119 conforms the platform.

CHAIR HUGHES offered her understanding that the common definition of the state and U.S. constitutions includes the amendments. In response to Senator Myers' question, she surmised that some people do not read these documents but they will if they have to sign that they did so. She noted that the next committee of referral was the Judiciary Committee.

[4:15:51 PM](#)

SENATOR WILSON removed his objection.

[4:15:53 PM](#)

CHAIR HUGHES found no further objection and CSSB 119(EDC) was reported from the Senate Community and Regional Affairs Standing Committee.

[4:16:01 PM](#)

At ease

#### **SB 135-AK COMMUNITY HEALTH AIDE APPRECIATION DAY**

[4:18:11 PM](#)

CHAIR HUGHES reconvened the meeting and announced the consideration of SENATE BILL NO. 135 "An Act establishing September 10 as Alaska Community Health Aide Appreciation Day."

[4:18:31 PM](#)

JOE HAYES, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, presented SB 135 on behalf of the sponsor. He read the following sponsor statement into the record:

"An Act establishing September 10 as Alaska Community Health Aide Appreciation Day."

Senate Bill 135 aims to recognize and honor the exemplary work of Community Health Aides by

proclaiming September 10 as Alaska Community Health Aide Appreciation Day. This date was chosen to commemorate the first Planning and Advisory Committee meeting for Health Aide Programs in Alaska, which took place on September 10, 1973.

The work of the Community Health Aide is tireless. In the communities they serve, they act as round-the-clock first responders, clinicians, travel coordinators, hospitalists, tribal liaisons, and are often role models within their home regions. Since before statehood, Health Aides have organized and played an integral role in maintaining tribal health and community safety. They are often related to or close to their patients and bring to their positions an abiding respect for traditional knowledge and culture.

Recently, Community Health Aides have been on the front lines of the fight against COVID-19 in rural Alaska and have been key to ensuring the success of vaccination efforts in remote communities that lack advanced healthcare services. It is more important than ever that we acknowledge our Community Health Aides for their broad scope of practice and selfless contributions to their communities, regions, and the state. For these reasons, I urge the passage of Senate Bill 135.

4:21:04 PM

MR. HAYES reviewed the evolution of the CHA Program outlined on slide 3. He said the Alaska Health Aid Program dates to before statehood when trained local Alaskans helped fight a tuberculosis outbreak. The Alaska Native Health Service started formal CHA training efforts in the 1960s and the program received federal recognition and congressional funding in 1968. The first planning and advisory committee meeting for health aide programs in Alaska was held on September 10, 1973. He noted the date for the Community Health Aide Appreciation Day was chosen to commemorate this historic event. Later in the 1970s, Congress approved funding for additional CHA positions. The federal government created the Community Health Aide Program Certification Board in 1998 and charged it with formalizing the process for maintaining community health aides and training centers. The program expanded between 2001 and 2009 to include dental and behavioral health aides.



[4:21:42 PM](#)

MR. HAYES stated the Alaska Tribal Health System (ATHS) is made up of about 37 tribal health organizations that have signed agreements to manage the health care facility under the Alaska Area Native Health Service of the Indian Health Service. Community health aides work within this system. They function as part of a regional team to assess and provide emergent, acute, and chronic medical care in remote Alaska communities. The community selects its provider who then attends four training sessions each of which lasts three to four weeks. The training centers are located in Anchorage, Nome, Bethel, and Fairbanks. The 550 health aide practitioners in more than 170 communities form the backbone of the health care system in rural Alaska, incorporating local and traditional knowledge into their care.

[4:24:10 PM](#)

MR. HAYES displayed the Alaska map on slide 7 to illustrate the size and scope of the "Hub & Spoke" referral pattern for health care. This model is designed to keep health care close to home. Each spoke radiates to individual communities and clinics from a regional hub that has hospital services, multi-level practitioners, and physicians. Throughout the COVID-19 pandemic CHAs worked tirelessly and at great risk to keep their communities safe and to ensure the successful distribution of the vaccine throughout Alaska.

MR. HAYES named the individuals the sponsor had invited to testify.

[4:26:24 PM](#)

CHAIR HUGHES shared that her husband appreciated the community health aide model. Early in his career he worked through the Yukon-Kuskokwim Health Corporation supervising health aides in 50 villages and providing patient care when he visited clinics. She asked if Alaska was still the only state that has community health aides.

MR. HAYES answered he would do follow up research but as far as he knows, Alaska is the only state that uses the CHA model.

CHAIR HUGHES offered her understanding that Alaska was pioneering the well-deserved community health aide appreciation day.

She announced invited testimony on SB 135.

[4:28:14 PM](#)

TARYN HUGHES, Guardian Flight Alaska, Fairbanks, Alaska, stated she learned that community health aides are a vital resource to Alaska's health care system when she lived and worked in the Tok region for about 10 years. Their scope of work is both physical and emotional. For example, a health aide performed CPR on a patient for four hours waiting for weather conditions to improve so the medivac plane could land safely. The patient happened to be her great uncle. She highlighted that the community health aide model, which was pioneered in Alaska, is moving to a national platform. She confirmed the Chair's observation that this would be the first state-sanctioned community health aide appreciation day in the nation. She noted some Alaska health aides and trainers currently serve on a national board. She expressed hope that in addition to the national nurse's week and the national EMS week, that there would someday be a national health aide week. She concluded that passing SB 135 sends a clear message to community health aides that their role in ensuring the health and safety of their communities is as important as the nurses and paramedics they work alongside.

[4:30:33 PM](#)

CHAIR HUGHES mentioned the national movement and asked if states other than Alaska were allowing health aides to work in medical settings.

MS. HUGHES answered yes; her understanding is that the national board is working with tribal health organizations to implement a model of health aide training that is similar or the same as Alaska's.

[4:31:24 PM](#)

JARED SHERMAN Vice President of Operations, Global Medical Response, Palmer, Alaska, stated GMR is the parent company of Guardian Flight Alaska. He shared his experience traveling to villages in the Yukon-Kuskokwim area as a boy and later for work. During these visits he would walk through the clinics but he never appreciated what a vital link they were to the health care system. It was not until he joined the medivac industry about 10 years ago that he began to recognize that health care is local and health aides are a key piece of the system.

MR. SHERMAN said health aides reported going into people's homes earlier this year instead of seeing them in the clinics in an effort to keep the clinics COVID-19 free and to reduce exposure to the rest of the community. This is just one illustration of their commitment. He stated support for health aides in Alaska; every medivac Guardian completes out of Alaskan villages starts

with the health aide. They are a key piece and their work is vital. He stated support for SB 135.

CHAIR HUGHES asked Mr. Hayes if community health aides administered the vaccine during the pandemic.

[4:33:07 PM](#)

MR. HAYES answered yes.

CHAIR HUGHES clarified for the record that while the sponsor statement mentioned that health aides serve as hospitalists, that term refers to physicians who work in hospitals.

[4:34:53 PM](#)

CHAIR HUGHES opened public testimony on SB 135.

[4:35:15 PM](#)

HEATHER KOPONEN, representing self, Fairbanks, Alaska, described community health aides as heroes who save lives, heal, and offer comfort. She shared that she is a physician's assistant who trained CHAs and EMTs but she is most proud of her work as a community health aid. She said most health aides offer the highest level of medical care available in their community and do all aspects of care from reception to exam, laboratory, diagnosis, dispensing appropriate patient education, vaccinations, dispensing medications in consultation with physicians and mid-level practitioners, sutures, adaptive equipment and splints, providing IVs, EKGs, defibrillation, oxygenation and other forms of stabilization. They can be in the clinic for hours in preparation for emergency transport to hospitals. She said health aides, many of whom are community health practitioners, are on call 24 hours a day, seven days a week, often for weeks or months on end without respite.

MS. KOPONEN reported community health aides live in the communities they serve and are held to high moral and medical standards. It can be a difficult job and require sacrifices. She reiterated CHAs are heroes and establishing the Alaska Community Health Aide Appreciation Day is appropriate.

[4:38:15 PM](#)

CHAIR HUGHES closed public testimony on SB 135 and advised that written testimony could be sent to [scra@akleg.gov](mailto:scra@akleg.gov). Finding no questions or comments, she asked the will of the committee.

[4:38:33 PM](#)

SENATOR MYERS moved to report SB 135, work order 32-LS0898\A, from committee with individual recommendations and attached fiscal note(s).

[4:38:51 PM](#)

CHAIR HUGHES found no objection and SB 135 was reported from the Senate Community and Regional Affairs Standing Committee.

[4:39:00 PM](#)

At ease

**SB 131-WORKERS' COMP DISABILITY FOR FIREFIGHTERS**

[4:41:37 PM](#)

CHAIR HUGHES reconvened the meeting and announced the consideration of SENATE BILL NO. 131, "An Act relating to the presumption of compensability for a disability resulting from certain diseases for firefighters."

She noted who was available to answer questions and asked the sponsor if he had any comments.

[4:42:14 PM](#)

SENATOR ROGER HOLLAND, Alaska State Legislature, Juneau, Alaska, sponsor of SB 131, stated that being a firefighter is an inherently dangerous career. He reported that between 2002 and 2019, 66 percent of the line-of-duty deaths were attributed to some form of cancer. SB 131 seeks to add breast cancer to the statutory list of presumptive causes of disease for firefighters. The disease is not gender specific; male firefighters are 7.5 times more likely to die of breast cancer than a male who does not work as a firefighter. He acknowledged that this would not resolve all the issues with the presumptive coverage laws for firefighters, but said it is a good start.

[4:43:46 PM](#)

CHAIR HUGHES asked if he had had read the letter of opposition from the Alaska Municipal League Insurance Joint Insurance Association.

[4:44:15 PM](#)

SENATOR HOLLAND answered no.

CHAIR HUGHES summarized that APEI said the bill could increase the cost to municipalities and that regular health insurance provides coverage. She offered her understanding that the bill

was not expected to result in increased costs and suggested Ms. Wing-Heier clarify the record.

4:44:39 PM

SENATOR HOLLAND explained that workers' compensation insurance covers the nine presumptive causes of disease for firefighters as well as other work-related hazards. He relayed his understanding that if there were an increase, it would be minimal.

4:45:19 PM

CHAIR HUGHES asked him to speak to the point in the letter that the bill removes the burden of proof.

SENATOR HOLLAND replied Chief Benningfield spoke to the fact that the burden of proof is a high bar. Firefighters are required to have an initial physical examination and annual examinations for seven years thereafter all of which must show no sign of breast cancer. SB 131 does not address any of that; it simply adds breast cancer to the list of nine presumptive causes he said.

4:46:33 PM

SENATOR GRAY-JACKSON thanked the sponsor for the bill and said she found it troubling that Kevin Smith stated the following:

We urge you not to impede this progress with another generous benefit to firefighters for a largely hereditary disease.

CHAIR HUGHES asked MS. Wing-Heier to comment on the statement that SB 131 will increase costs for municipalities. She said that was not her understanding, based on testimony during the previous hearing.

4:47:42 PM

LORI WING-HEIER, Director, Division of Insurance, Department of Commerce, Community and Economic Development (DCCED), Anchorage, Alaska, confirmed that adding breast cancer to the presumptive list was not expected to increase costs to municipalities. She acknowledged that it was a possibility if the incidence of breast cancer increased exponentially but the data has not shown there would be an increase. Further, when different types of cancer were added previously, the division did not see that many cases. She referenced an email from Director Collins that said there has only been one case of breast cancer in the last

several years. She noted that rates overall have come down the last four years.

CHAIR HUGHES asked Mr. Collins if he expects SB 131 to increase costs for municipalities.

[4:48:59 PM](#)

CHARLES COLLINS, Director, Division of Workers' Compensation, Department of Labor and Workforce Development (DOLWD), Juneau, Alaska, agreed with Director Wing-Heier and highlighted that a research brief from the National Council on Compensation Insurance (NCCI) found no effect on rates when breast cancer was included as a presumption. He noted that since 2016, the division has accepted five instances of cancer as workers' compensation injuries. He offered his belief that SB 131 was the right thing to do at the right time.

[4:51:11 PM](#)

SENATOR HOLLAND stated a firefighter who meets the requirements should have coverage.

CHAIR HUGHES suggested he communicate with the Alaska Municipal League Joint Insurance Association to relay Ms. Wing-Heier and Mr. Collin's testimony that the bill is not expected to increase costs to municipalities. Their letter assumes there will be an increase.

[4:52:05 PM](#)

CHAIR HUGHES opened public testimony on SB 131; finding none, she closed public testimony. She advised written testimony could be sent to [scra@akleg.gov](mailto:scra@akleg.gov).

CHAIR HUGHES asked the will of the committee.

[4:52:41 PM](#)

SENATOR MYERS moved to report SB 131, work order 32-LS0598\A, from committee with individual recommendations and attached fiscal note(s).

[4:52:55 PM](#)

CHAIR HUGHES found no objection and SB 131 was reported from the Senate Community and Regional Affairs Standing Committee.

[4:53:25 PM](#)

There being no further business to come before the committee, Chair Hughes adjourned the Senate Community and Regional Affairs Standing Committee meeting at 4:53 p.m.